

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re: CLINT ARLIN CHURCH

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Case No. 22-30914-H4-13

Chapter 13

MOTION FOR RELIEF FROM THE STAY REGARDING NON-EXEMPT PROPERTY

(2017 Harley Davidson FLHTK ULT)

THIS IS A MOTION FOR RELIEF FROM THE AUTOMATIC STAY. IF YOU OBJECT TO THE GRANTING OF RELIEF FROM THE AUTOMATIC STAY, YOU SHOULD CONTACT THE MOVANT IMMEDIATELY TO TRY TO REACH AN AGREEMENT. IF YOU CANNOT REACH AN AGREEMENT, YOU MUST FILE A WRITTEN RESPONSE AND SEND A COPY TO MOVANT NO LATER THAN SEPTEMBER 27, 2022 AND YOU MUST ATTEND THE HEARING.

THE COPY SENT TO THE MOVANT MUST BE DELIVERED BY HAND OR ELECTRONIC DELIVERY IF IT IS SENT LESS THAN 7 DAYS PRIOR TO THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE HEARING MAY BE AN EVIDENTIARY HEARING AND THE COURT MAY GRANT OR DENY RELIEF FROM THE STAY BASED ON THE EVIDENCE PRESENTED AT THIS HEARING. IF A TIMELY OBJECTION IS FILED, THE COURT WILL CONDUCT A HEARING ON THIS MOTION ON OCTOBER 4, 2022 AT 1:00 PM IN COURTROOM 401 OF THE UNITED STATES COURT HOUSE LOCATED AT 515 RUSK AVENUE, HOUSTON, TEXAS 77002.

1. This motion requests an order from the Bankruptcy Court authorizing the person filing this motion to foreclose on or to repossess the property that is identified in paragraph 3.
2. Movant: FreedomRoad Financial
3. Movant, directly or as agent for the holder, holds a security interest in one (1) 2017 Harley Davidson FLHTK ULT bearing serial number 1HD1KED14HB695578.
4. Movant has reviewed the schedules filed in this case. ~~The property described in paragraph 3 is claimed as exempt by the Debtor. Movant does not contest the claimed exemption.~~
5. Type of collateral (e.g., Home, Manufactured Home, Car, Truck, Motorcycle): motorcycle.
6. Debtor's scheduled value of property: \$22,995.00.
7. Movant's estimated value of property: \$22,995.00.
8. Total amount owed to Movant: \$16,974.73 (as of August 25, 2022).
9. Estimated equity (paragraph 7 minus paragraph 8): \$6,020.27.
10. Total pre and post-petition arrearages: \$2,520.18 (as of August 25, 2022).
11. Total post-petition arrearages: \$2,100.15 (as of August 25, 2022).
12. Amount of unpaid, past due property taxes, if applicable: n/a
13. Expiration date on insurance policy, if applicable: n/a.
14. X Movant seeks relief based on the Debtor's failure to make payments. Debtor's payment history is attached as exhibit "A." Movant represents that the attached payment history is a

current payment history reflecting all payments, advances, charges and credits from the beginning of the loan. Movant further represents that the payment history is self explanatory or can be interpreted by application of coding information that is also attached. Movant acknowledges that the Court may prohibit the use of parol evidence to interpret a payment history that does not satisfy these representations.

15. _____ Movant seeks relief based on the Debtor's failure to provide a certificate of insurance reflecting insurance coverage as required under the Debtor's pre-petition contracts.
16. If applicable: Name of Co-Debtor: n/a.
17. Based on the foregoing, Movant seeks termination of the automatic stay to allow Movant to foreclose or repossess the Debtor's property and seeks to recover its costs and attorneys' fees in an amount not to exceed the amount listed in paragraph 9.
18. Movant certifies that prior to filing this motion an attempt was made by Paul R. Lawrence to confer with the Debtor's counsel by email on August 26, 2022 at 5:13 PM. An agreement could not be reached in writing. If requested by Debtor or Debtor's counsel, a payment history in the form attached to this motion was provided at least two days, excluding intermediate weekends and holidays, before this motion was filed.

Date: August 31, 2022

LAWRENCE LAW FIRM

/s/ Paul R. Lawrence

Paul R. Lawrence
State Bar No. 12050000
Attorney for Movant
112 East 4th Street
Houston, Texas 77007
(713) 864-8000
(713) 864-0179 facsimile
PRL@LBandD.com

Certificate of Service and Certificate of Compliance with BLR 4001

A copy of this motion was served on the persons shown on the attached "Service Exhibit" at the addresses reflected on that exhibit on August 31, 2022 by electronic notice or prepaid United States first class mail. Movant certifies that Movant has complied with Bankruptcy Local Rule 4001.

/s/ Paul R. Lawrence

Movant's counsel

SERVICE EXHIBIT

Rick J. Deal
Law Office of Rick J Deal
1110 N. Loop 336 W Suite 530
Conroe, TX 77301

Clint Arlin Church
3600 FM 1488 Rd #120-252
Conroe, TX 77384

David G Peake
Chapter 13 Trustee
9660 Hillcroft Suite 430
Houston, TX 77096-3856

US Trustee
Office of the US Trustee
515 Rusk Ave Ste 3516
Houston, TX 77002

Capital One Auto Finance, a division
of Capital One, N.A.,
c/o AIS Portfolio Services, LP
4515 N Santa Fe Ave. Dept. APS
Oklahoma City, OK 73118

Brendon D Singh
Tran Singh, LLP
2502 La Branch Street
Houston, TX 77004

Freedom Road Financial

10509 Professional Cir Ste 100
 Reno NV 89521
 866-455-7623



CLINT CHURCH
 3600 FM 1488 RD # 120-252
 CONROE TX 77384

General Information

Account Number:	XXXXXXXXXXXX4753	CIF Number:	XXX6597
Home Phone:	(XXX)XXX-XXXX	Work Phone:	(XXX)XXX-XXXX
Loan Term:	60	Loan Type:	HARLEY
Interest Rate:	15.790000 %	Origination Date:	12/02/2019

Balance & Payment Information

Original Amount:	\$17,352.00	Payment Due Date:	03/15/2022
Current Balance:	\$15,350.37	Payment Amount:	\$0.00
Accrued Interest:	\$1,466.64	Daily Per Diem:	\$6.64061

Loan History

Posting Date	Transaction Description	Amount	Principal Balance
12/02/2019	Interest Rate Change	\$0.00	
12/05/2019	Effective Date Debit Interest Adj.	\$22.52	
12/05/2019	Principal Advance	\$17,352.00	\$17,352.00
12/31/2019	CPP Web Payment	(\$450.00)	\$17,127.19
02/06/2020	CPP Web Payment	(\$450.00)	\$16,906.15
03/11/2020	Late Charge Assessed	\$21.00	\$16,906.15
03/16/2020	CPP Web Payment	(\$450.00)	\$16,698.12
04/13/2020	Late Charge Assessed	\$21.00	\$16,698.12
04/17/2020	Loan Extension	\$0.00	\$16,698.12
05/20/2020	CPP Web Payment	(\$425.00)	\$16,698.12
07/13/2020	Late Charge Assessed	\$21.00	\$16,698.12
07/20/2020	CPP Web Payment	(\$450.00)	\$16,698.12
08/25/2020	Late Charge Assessed	\$21.00	\$16,698.12
09/01/2020	Loan Extension	\$0.00	\$16,698.12
09/25/2020	Late Charge Assessed	\$21.00	\$16,698.12
09/29/2020	CPP Web Payment	(\$65.00)	\$16,698.12
10/05/2020	Loan Extension	\$0.00	\$16,698.12
12/28/2020	Late Charge Assessed	\$21.00	\$16,698.12
01/11/2021	CPP Web Payment	(\$500.00)	\$16,698.12
01/25/2021	Late Charge Assessed	\$21.00	\$16,698.12

01/29/2021	Loan Extension	\$0.00	\$16,698.12
03/18/2021	CPP Web Payment	(\$500.00)	\$16,660.15
05/13/2021	CPP Web Payment	(\$421.00)	\$16,660.15
06/14/2021	CPP Web Payment	(\$425.00)	\$16,660.15
06/28/2021	CPP Web Payment	(\$450.00)	\$16,660.15
07/20/2021	CPP Web Payment	(\$450.00)	\$16,594.27
08/20/2021	CPP Web Payment	(\$460.00)	\$16,504.23
09/20/2021	CPP Web Payment	(\$450.00)	\$16,275.76
10/21/2021	CPP Web Payment	(\$450.00)	\$16,037.48
11/17/2021	CPP Web Payment	(\$450.00)	\$15,803.18
12/27/2021	Late Charge Assessed	\$21.00	\$15,803.18
01/06/2022	CPP Web Payment	(\$425.00)	\$15,588.44
01/14/2022	CPP Web Payment	(\$450.00)	\$15,350.37
02/25/2022	Late Charge Assessed	\$21.00	\$15,350.37
03/17/2022	Assess Extension Fee	\$20.00	\$15,350.37
03/17/2022	Loan Extension	\$0.00	\$15,350.37
03/25/2022	Late Charge Assessed	\$21.00	\$15,350.37